

DOCKET NO: 251289US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
KIWAMU FUJIMOTO : EXAMINER: GOUDREAU, GEORGE A.  
SERIAL NO: 10/813,079 :  
FILED: MARCH 31, 2004 : GROUP ART UNIT: 1763  
FOR: ETCHING METHOD AND :  
APPARATUS :

ELECTION OF SPECIES

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election of species requirement mailed February 7, 2006,  
Applicants hereby elect species I. Claims 2, 3, 5, 10, 21 and 22 read on the elected species.  
This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 2, 3, 5, 10 and 21-32 is sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 states that if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

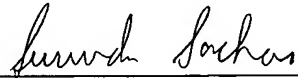
Application No. 10/813,079  
Reply to Office Action of February 7, 2006

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the election of species requirement and to examine all claims in this application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch  
Attorney of Record

Registration No. 32,829

Surinder Sachar  
Registration No. 34,423

Kevin M. McKinley  
Registration No. 43,794

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)

SPW/KMM/jhe

I:\ATTY\KMM\PROSECUTION WORK\251289\ELECTION OF SPECIES.DOC